

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION SAFETY AND HEALTH STANDARD STANDARDS

Filed with the secretary of state on

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 19 and 21 of **the Michigan occupational safety and health act**, 1974 PA 154, **MCL 408.1019 and 408.1021**, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030)

R 408.43001 and R 408.43006 of the Michigan Administrative Code are amended as follows:

PART 30. TELECOMMUNICATIONS FOR CONSTRUCTION

R 408.43001 Adoption of standards by reference.

Rule 3001. (1) The **federal Occupational Safety and Health Administration** provisions of federal occupational safety and health administration (OSHA) regulation 29 ~~CFR C.F.R. §~~ 1910.268 "Telecommunications," **as amended November 18, 2016, is adopted by reference in these rules, except as noted in this rule.** ~~effective January 5, 2005, are adopted by reference in these rules, except as noted in subrule (2) of this rule.~~

(2) The subrules 29 ~~CFR C.F.R. §~~ 1910.268(a)(2)(i) and (a)(3) are excepted.

(3) The words "for purposes of 29 ~~CFR C.F.R. §~~ 1910.34," as used in 29 ~~CFR C.F.R. §~~ 1910.268(b)(1)(iii), are excepted.

(4) A reference to § 1910.110 "Storage and handling of liquefied petroleum gases," means General Industry Safety Standard Part 56. "Storage and Handling of Liquefied Petroleum Gases," as referenced in R 408.43006.

(5) ~~The words~~ **A reference to the** "Assistant Secretary for Occupational Safety and Health" means **the** director of the **department of licensing and regulatory affairs.**
~~Department of Licensing and Regulatory Affairs.~~

(6) A reference to § 1910.137, "Electrical protective devices," means General Industry Safety **and Health** Standard Part 33. "Personal Protective Equipment," as referenced in R 408.43006.

(7) A reference to ~~"Subpart "subpart D" means Construction Safety Standard Part 11 "Fixed and Portable Ladders,"~~ **"Walking-Working Surfaces,"** ~~D of this part,"~~ means **General Industry Safety and Health Standard Part 2.** as referenced in R 408.43006.

(8) A reference to § 1910.25(c)(5); means R 408.43004 "Trolley and side-rolling ladders."

(9) A reference to § 1910.133; means Construction Safety **and Health** Standard Part 6. "Personal Protective Equipment," as referenced in R 408.43006.

(10) A reference to **"subpart Q"** ~~subpart Q;~~ means Construction Safety Standard Part 7. "Welding and Cutting," as referenced in R 408.43006.

(11) A reference to **"subpart Subpart-W of part Part 1926"** ~~1926 of this title,"~~ means Construction Safety Standard Part 13. "Mobile Equipment," as referenced in R 408.43006.

(12) A reference to § 1910.97, means Occupational Health Standard Part 382. "Nonionizing Radiation," as referenced in R 408.43006.

(13) A reference to American National Standards Institute Standard ANSI A92.2, "Vehicle-Mounted Elevating and Rotating Devices," 1969 edition, **which is referenced in 29 CFR 1910.268**, is adopted by reference in these rules.

(14) A reference to American National Standards Institute Standard ANSI B30.6 "Safety Code for Derricks," 1969 edition, means American Society of Mechanical Engineers Standard ASME B30.6 "Safety Code for Derricks," 1969 edition, **which** is adopted by reference in these rules.

(15) A reference to American National Standards Institute Standard ANSI Z89.2 "Industrial Protective Helmets for Electrical Workers," 1971 edition, **which is referenced in 29 CFR 1910.268**, is adopted by reference in these rules.

(16) A reference to American Society for Testing and Materials Standard ASTM B117, "Standard Practice for Operating Salt Spray (Fog) Apparatus," 1964 edition, **which is referenced in 29 CFR 1910.268**, is adopted by reference in these rules.

(17) A reference to American National Standards Institute Standard ANSI J6.6 - 1971 edition, means American Society for Testing and Materials Standard ASTM D120 "Standard Specification for Rubber Insulating Gloves," 1977 edition, **which** is adopted by reference in these rules.

(18) The adopted federal regulations have the same force and effect as a rule promulgated under the Michigan occupational safety and health act, 1974 PA ~~Act No.~~ 154, MCL 408.1001 to 408.1094.

R 408.43006 Availability of documents.

Rule 3006. (1) The federal regulation 29 ~~CFR C.F.R.~~ § 1910.268 "Telecommunications," **as amended November 18, 2016, effective January 5, 2005,** ~~as~~ adopted by reference in these rules **is** ~~are~~ available from the United States Department of Labor, Occupational Safety and Health Administration website: www.osha.gov, at no charge, as of the time of adoption of these rules.

(2) The following standards ~~are~~ adopted by reference in these rules ~~and~~ are available from Global Engineering Documents, 15 Inverness Way East, Englewood, Colorado, 80112, USA, telephone number: 1-800-854-7179, web-site: www.global.ihs.com, at a cost as of the time of adoption of these rules, as stated in this rule:

~~(a) American National Standards Institute Standard ANSI A92.2, "Vehicle-Mounted Elevating and Rotating Devices," 1969 edition. Cost: \$20.00.~~

(b) ANSI B30.6 "Safety Code for Derricks," 1969 edition. Cost: \$40.00.

(c) ANSI Z89.2 "Industrial Protective Helmets for Electrical Workers," 1971 edition. Cost: \$25.00.

~~(d) American Society for Testing and Materials Standard ASTM B117, "Standard Practice for Operating Salt Spray (Fog) Apparatus," 1964 edition. Cost: \$40.00.~~

(e) ASTM D120, "Standard Specification for Rubber Insulating Gloves," 1977 edition. Cost: \$54.00.

(3) The standards adopted in these rules are available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(4) Copies of the standards adopted in these rules may be obtained from the publisher or may be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20.00 for shipping and handling.

(5) The following Michigan **Occupational Safety and Health Administration** ~~occupational safety and health~~ (MIOSHA) standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143 or via the internet at website: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, at the time of adoption of these rules, is 4 cents per page.

(a) Construction Safety **and Health** Standard Part 6. "Personal Protective Equipment," R 408.40601 to R 408.40660. ~~408.40641.~~

(b) Construction Safety Standard Part 7. "Welding and Cutting," R 408.40701 to R 408.40762.

~~(c) Construction Safety Standard Part 11 "Fixed and Portable Ladders," R 408.41101 to R 408.41140.~~

~~(d)~~ (c) Construction Safety Standard Part 13. "Mobile Equipment," R 408.41301.

(d) General Industry Safety and Health Standard Part 2. "Walking-Working Surfaces," R 408.10201 to R 408.10241.

(e) General Industry Safety **and Health** Standard Part 33. "Personal Protective Equipment," R 408.13301 to R 408.13398.

(f) General Industry Safety Standard Part 56. "Storage and Handling of Liquefied Petroleum Gases," R 408.15601.

(g) Occupational Health Standard Part 382. "Nonionizing Radiation," R 325.60701 to R 325.60704.